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TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION OVER A "PRIOR" PATENT		Docket Number (Optional) CARL-1 CON
In re Application of: Allen Carl		
Application No.: 10/653,692		
Filed: 09/02/2003		
For: SELECTIVE DELIVERY OF CRYOGENIC ENERGY TO INTERVERTEBRAL DISC TISSUE AND RELATED METHODS OF INTRADISCAL HYPOTHERMIA THERAPY		
The owner*, Allen Carl, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term prior patent No. 6,613,044 as the term of said prior patent is defined in 35 U.S.C. 154 and 173, and as the term of said prior patent is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.		
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2. <input checked="" type="checkbox"/> The undersigned is an attorney or agent of record. Reg. No. 30,883		
<u>Mark J. Pandiscio</u> Signature		<u>7/14/06</u> Date
07/18/2006 01 FC:2814	EFLORES 00000081 10653692 65.00 DP	Mark J. Pandiscio Typed or printed name
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<input checked="" type="checkbox"/> Terminal disclaimer fee under 37 CFR 1.20(d) included.		
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